

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,  
Plaintiff,

v.

PETER MAHONEY and  
PEGGY MAHONEY,  
Defendants.

NOS. CR-04-2127-RHW  
CR-04-2128-RHW

**ORDER STRIKING TRIAL AND  
SETTING CHANGE OF PLEA  
HEARING**

A telephonic hearing was held on August 29, 2006. Mark Vovos appeared on behalf of Peter Mahoney; Peter Erbland appeared on behalf of Peggy Mahoney. The Government was represented by Assistant United States Attorney Jane Kirk, who appeared in person. The parties represented they had signed plea agreements to conclude this matter and requested the Court strike the trial date and set times to enter their changes of plea (*See* Case No. CR-04-2127-RHW, Ct. Rec. 168; Case No. CR-04-2128-RHW, Ct. Rec. 67).

Accordingly, **IT IS HEREBY ORDERED:**

1. The current trial date of **September 5, 2006** is **stricken**.
2. A change of plea hearing is **set** for **October 2, 2006, at 10:00 a.m.**, in **Spokane, Washington**.
3. Pursuant to 18 U.S.C. § 3161(h)(8)(A), the time between September 5, 2006, the current trial date, until October 2, 2006, is **DECLARED**

1 **EXCLUDABLE** for purposes of computing time under the Speedy Trial Act. The  
2 Court finds the ends of justice served by such a continuance outweigh the interests  
3 of the public and Defendants in a speedy trial.

4 4. Defendants shall file a waiver of their speedy trial rights within two  
5 weeks of the date of this order.

6 5. All pending motions (Ct. Recs. 153, 154, 156, 157, 158, & 165) are  
7 **DENIED as moot.**

8 **IT IS SO ORDERED.** The District Court Executive is directed to enter this  
9 Order and to provide copies to counsel.

10 **DATED** the 11<sup>th</sup> day of September, 2006.

11 *s/ Robert H. Whaley*

12 ROBERT H. WHALEY  
13 Chief United States District Judge  
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